FEB 10 2005 18:14 FR BABCOCK-WILCOX PATENT330 860 6609 TO 917038729306

P.03/07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the only

in re patent application of

PYROMETER FOR MEASURING THE

JOHN T. HUTSON ET AL.

TEMPERATURE OF A GAS COMPONENT

Filed:

March 4, 2004

10/774,565

Confirmation No.: 8509

Art Unit:

Serial No.:

2859

Examiner:

JAGAN, MIRELLYS Attorney Docket No.: Case 5887D

Mail Stop: Amendment Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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<u>AMENDMENT AND PETITION FOR THREE MONTH EXTENSION OF TIME</u>

Applicants hereby petition, under 37 CFR §1.136(a)(1), for a three (3) month extension of time within which to respond to the Office Action malled August 10, 2004; that is up to and including February 10, 2004. The Commissioner is hereby authorized to charge the sum of \$1020 for the three (3) month extension of time as required under 37 CFR §1.17(a)(3) to Deposit Account No. 50-1813 as set forth in the enclosed Transmittal.

In response to the Office Action mailed August 10, 2004, please amend the aboveidentified patent application without prejudice as follows:

Amendments to the Specification - none.

Amendments to the Claims - are reflected in the listing of claims which begins on page 3 of this paper.

Amendment to the Drawings - none

Remarks begin on page 4 of this paper

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PTO/68/22 (12-04)
Approved for use through 07/31/2008, OMB 0851-0031
U.S. Patent and Tradement Office; U.S. DEPARMENT OF COMMERCE
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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)			Docket Number (Optional)	
FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)			CASE SEBID	
Application Number 10 1774, 565			Filed 02 (09 (2	,004
For John - Hutso				
Art Unit	2859		Examiner 200 bea	mirelys
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a rapty in the above identified application.				
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):				
		<u>Fee</u>	Small Entity Fee	
	One month (37 CFR 1.17(a)(1))	\$120	\$60	S
	Two months (37 CFR 1.17(a)(2))	\$450	\$225	s
図	Three months (37 CFR 1.17(a)(3))	\$1020	\$510	s
	Four months (37 CFR 1.17(a)(4))	\$1590	3795	\$
	Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	<u> </u>
Applicant claims small entity status. See 37 CFR 1.27.				
A check in the amount of the fee is enclosed.				
Payment by credit card. Form PTO-2038 is attached.				
The Director has already been authorized to charge fees in this application to a Deposit Account.				
The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to				
Deposit Account Number				
WARMING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
l am the applicant/inventor.				
assignee of record of the entire interest. See 37 CFR 3.71.				
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).				
attorney or agent of record. Registration Number 54,436				
	attorney or agent under 37 CFR Registration number if acting under	1.34. 37 CFR 1,34		
845 Time			2-10	-05
	Signature		Dal	18
	Michael J Seymour		(330) 860	1477
Typed or printed name Tetephone Number				
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.				
Total of forms are submitted.				
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			

Tris collection of Information is required by 37 CFR 1.136(a). The Information is required to obtain or retain a benefit by the public which is to life (and by the USFTO to process) an application. Confidentising is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 minutes to complete, including gesthering, properting, and submitting the completed application form to the USFTO. Time will vary depending upon the including case. Any comments on the amount of time you require to complete the torm endor suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Public the U.S. Public Information Officer, U.S. Public

If you need essistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/S8/06 (08-03)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application or Docket Number PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875 OTHER THAN CLAIMS AS FILED - PART I SMALL ENTITY OR SMALL ENTITY (Column 2) (Column 1) FEE NUMBER EXTRA RATE FEE RATE FOR NUMBER FILED BASIC FEE OR (37 CFR 1.16(a)) TOTAL CLAIMS OR minus 20 = (37 CFR 1.16(c)) INDEPENDENT CLAIMS OR x s minus 3 = (37 CFR 1.16(b)) (37 CFR 1.16(d)) OR MULTIPLE DEPENDENT CLAIM PRESENT TOTAL OR TOTAL * If the difference in column 1 is less than zero, enter "0" in column 2. CLAIMS AS AMENDED - PART II OTHER THAN OR (Column 3) SMALL ENTITY SMALL ENTITY (Column 2) (Column 1) CLAIMS HIGHEST PRESENT RATE ADDI-RATE ADDI-NUMBER REMAINING TIONAL **EXTRA** TIONAL **PREVIOUSLY AFTER** AMENDMENT Ю 02 FEE PAID FOR AMENDMENT Minus Tot OR (37 CFR 1. Minus Independent (37 CFR 1.16(b)) OR FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) OR TOTAL ADD'L FEE ÓŔ ADD'L FEE (Column 3) (Column 2) (Column 1) HIGHEST CLAIMS ADDI-PRESENT RATE ADDI-RATE REMAINING NUMBER ω TIONAL **EXTRA** TIONAL PREVIOUSLY AFTER ENDMENT FEE FEE PAID FOR AMENDMENT Minus __Total (37 CFR 1.16(c)) ______ OR-Minus Independent (37 CFR 1.16(b)) OR FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) OR TOTAL TOTAL ADD'L FEE OR ADD'L FEE (Column 3) (Column 2) (Column 1) HIGHEST CLAIMS RATE ADDI PRESENT RATE ADDI-NUMBER \circ REMAINING TIONAL **EXTRA** TIONAL PREVIOUSLY AFTER NDMENT FEE PAID FOR FEE AMENDMENT Minus Total OB Independent (37 CFR 1.16(b)) Minus OR ш ₹ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) OR + \$ TOTAL TOTAL ADD'L FEE ADD'L FEE OR If the entry in column 1 is less than the entry in column 2, write "0" in column 3. " If the "Highest Number Previously Paid For" IN-THIS-SPACE is less than 20, enter -20". "If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1. —
This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C.-122 and 37 CFR-1:14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Pateria and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.